UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1993/68
4 December 1992

ENGLISH
Original: ENGLISH/FRENCH/
SPANISH

COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Item 26 of the provisional agenda

THE ROLE OF YOUTH IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS, INCLUDING THE QUESTION OF CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Report of the Secretary-General prepared pursuant to Commission resolution 1991/65

CONTENTS

	Page
Introduction	2
I. COMMENTS PROVIDED BY GOVERNMENTS	2
Argentina	2
Bahrain	7
Brazil	7
Costa Rica	7
Croatia	8
Denmark	8
Ecuador	11
Equatorial Guinea	11
Finland	11
Norway	13
Panama	15
San Marino	16
Slovenia	16
Tunisia	17
Yugoslavia	17
II. OTHER INFORMATION RECEIVED	18
Non-governmental organizations	18

GE.92-14841 (E)

Introduction

1. In its resolution 1991/65 of 6 March 1991, the Commission on Human Rights requested the Secretary-General to report on the question of conscientious objection to military service, taking into account the comments provided by Governments and further information received by him, to the Commission at its forty-ninth session.

2. In accordance with this request, the Secretary-General invited States Members of the United Nations, by a note verbale dated 14 August 1992, to forward to him any comments or information on the above-mentioned question that they might wish to make. In reply to his request, the Secretary-General received information from the Governments of Argentina, Bahrain, Brazil, Costa Rica, Croatia, Denmark, Ecuador, Equatorial Guinea, Norway, Panama, Papua New Guinea, San Marino, Slovenia and Yugoslavia. These replies are contained in part I of the present report.

3. The Secretary-General also received information on the above-mentioned question from the Friends World Committee for Consultation, a non-governmental organization in consultative status (category II). The information is contained in part II of this report.

4. Any further information or comments will be submitted in addenda to the present report.

I. COMMENTS PROVIDED BY GOVERNMENTS

Argentina

[11 November 1992]
[Original: Spanish]

The Government of Argentina submitted a copy of a draft law, passed by the Chamber of Deputies and currently (October 1992) before the Senate, on national service for defence. Chapter V of the law, which deals with conscientious objection, is reproduced below. The text in its entirety is available, in Spanish, for consultation, in the files of the Secretariat. The Government also transmitted the text of the judgement of the Supreme Court, dated 18 April 1989, in the case of Alfred Portillo, by which Argentina legally recognized conscientious objection to obligatory military service. This text is likewise available for consultation.

"CHAPTER V

Conscientious objectors

Article 25

Persons who, prior to selection of their draft, feel unable to perform military training because they hold deep religious, philosophical or moral convictions which prevent them under any circumstances from using weapons or joining military or national defence bodies, may choose to perform alternative social service.

Article 26

Once exercised, the right of conscientious objection may not be waived. Persons recognized as objectors under the present Act shall be placed on reserve on completion of their alternative service.

Article 27

Alternative social service shall last 12 months.

Article 28

Any person in the situation provided for in article 25, or his legal representative, shall submit the application for alternative social service to the Federal Administrative Court of First Instance for the district in which he is domiciled.

Article 29

The application shall be accompanied by any supporting documents in the possession of the applicant, and any other documents shall be made available.

The facts demonstrating the existence of profound and sincere convictions of conscience incompatible with the various aspects of national military service shall be adduced and substantiated.

This procedure shall not entail any costs on the part of the applicant.

Article 30

Following the submission of the application, the district procurator shall have five (5) days in which to consider the matter and may propose appropriate measures for determining the accuracy of the facts cited by the applicant.

Within ten (10) days following the completion of the procedure referred to in the foregoing paragraph, the court shall hold a hearing at which the applicant, any witnesses and the representative of the Government Procurator's Office shall be present. The court shall hear at first hand the reasons given by the applicant, as well as any witnesses.

Following presentation of the evidence, the district procurator and the applicant shall have a further five (5) days for consideration, on completion of which a decision, open to appeal, shall be reached within 20 days.

Article 31

The court shall notify the Ministry of Defence of the application to benefit from the provisions of the present chapter and of the decisions reached.

Article 32

In the assessment the evidence, account shall be taken of the following factors:

(a) The sincerity of the applicant's beliefs, which may not be based exclusively on political affiliation;

(b) His personal background, particularly his religious, philosophical and moral activities, studies and practices;

(c) Any psychological reports which the court may see fit to request on the applicant's personality;

(d) The period during which the applicant has openly professed the beliefs on which the application under these provisions is based, which shall not be for less than one year prior to submission of the application.

The facts on which the application is based shall not be considered as substantiated exclusively by the declarations of the applicant.

Pending a decision, the applicant may not be conscripted for national military service. If the application is rejected and the decision is handed down subsequent to the conscription of his own draft, the applicant shall perform such service with the following draft.

Article 33

Alternative social service shall involve the performance of activities in the public interest and may take the form of the following tasks:

(a) Civil defence activities as prescribed by the relevant act;

(b) Health or social services;

(c) Protection of the environment, improvement of the rural environment and nature conservation.

Article 34

A commission established within the framework of the Ministry of Defence and comprising representatives of the Ministries of Defence and of Health and Social Services, shall, in accordance with the provisions and regulations of this Act, coordinate the performance of the alternative social service.

Article 35

The commission referred to in the foregoing article shall decide where the alternative social service is to be performed in each case and shall endeavour to select an area close to the applicant's domicile.

Article 36

Persons performing alternative social service may not engage in any public or private activity unrelated to such service, for its duration.

They may not engage in any political or trade-union activity during the hours and in the places where they perform such service. The exercise of the right to strike is incompatible with the obligations arising from such service.

Article 37

During the performance of alternative social service, conscientious objectors shall be entitled to food, clothing, transport and health care and to have their normal employment held open for them. The benefits referred to in this article shall be afforded to the persons in question by the entity utilizing their services.

Article 38

In the event of war or international armed conflict, alternative social service shall involve the performance of civil defence activities, together with the provision of public services and other work in the general interest. Such tasks may involve some element of danger, in order to ensure the equality of all citizens in regard to the common danger.

Article 39

Persons lodging conscientious objections after the time-limit laid down in article 32 (d) above and prior to their thirty-fifth birthday may initiate the procedure provided for in this chapter in order to obtain recognition as conscientious objectors when one (1) year has elapsed following the public declaration of the convictions on which their application to benefit from the provisions of this Act is based.

Except in time of war or of international armed conflict, initiation of the procedure shall preclude enlistment for training in the reserve forces. In the event of an unfavourable ruling being handed down after the date on which such training begins, they shall begin the aforementioned training in the year following that in which it should have taken place. In the event of a favourable ruling, they shall be enlisted in the reserve for the purposes referred to in article 38 of this Act.

Article 40

Persons performing alternative social service shall remain subject to the following regime of offences and penalties, notwithstanding those provided for in this Act for the national defence forces in general:

1. Any person subject to the provisions of this chapter who refuses to perform alternative social service shall, provided he does not commit a more serious offence, be liable to two to four years' imprisonment and general disqualification for the duration of the sentence;

2. Any person fraudulently availing himself of the provisions of this chapter shall be liable to imprisonment for two to four years.

Any person fraudulently seeking exemption from performing alternative social service shall be liable to the same penalty;

3. Provided the act in question does not constitute an offence attracting a heavier penalty, the following shall be liable to an extension of service of one to six months:

(a) Persons not presenting themselves to continue work not completed in the time prescribed by the competent authority;

(b) Persons demonstrating negligence in the performance of the tasks assigned to them;

(c) Persons refusing, without good reason, to carry out an order legally given to them during the performance of alternative social service;

(d) Persons failing to show proper respect for the authorities responsible for directing or supervising their service;

(e) Persons in any way disrupting order and discipline in the performance of alternative social service.

4. Any person failing, without good reason, to present himself, on the date set by the competent authority for the performance of alternative social service, to discharge the obligations which this entails, shall perform an extra four days of such service for each day that he is late in presenting himself up to a maximum of two years.

Article 41

The offences referred to in paragraphs 3 and 4 above shall give rise to an administrative inquiry, which shall be conducted in accordance with the provisions of the investigation regulations in effect in the national public administration. The individual in question or his legal representative may appeal any decisions taken in his regard directly to the Federal Court with jurisdiction in the place in which the service is performed. The appeal shall be lodged and substantiated within fifteen (15) days of the date on which the appellant is notified of the final administrative decision. The appeal procedure shall also be subject to the regulations governing the procedure for appeals against final decisions in ordinary proceedings, under the National Code of Civil and Commercial Procedure.

Article 42

In peacetime, persons committing offences during the performance of alternative social service shall be subject to the federal courts.

In time of war or international armed conflict, such persons shall be subject to the military courts and governed by the Code of Military Justice."

Bahrain

[29 October 1992]
[Original: English]

1. The Government of the State of Bahrain is pleased to inform the Secretary-General that the Government policy of recruitment into the armed forces is on a voluntary basis and, accordingly, Bahrain has never experienced any person claiming conscientious objection to military service. Government policy is unlikely to change on this subject due to the nature of defence requirements and the social and cultural infrastructure of Bahraini society.

2. The Government supports the Commission on Human Rights in its consideration of questions of conscientious objection to military service and looks forward to learning the Commission's final findings on this issue.

Brazil

[16 November 1992]
[Original: English]

1. The 1988 Federal Constitution stipulates in its article 143 that military service is compulsory according to the internal legislation. The Military Service Decree specifies that all nationals of Brazil who are 19 years old will be subject to military service. Article 143, paragraph 1, of the Federal Constitution stipulates that conscripts who declare their imperative conscientious objection to military service will be allowed in peacetime to accomplish alternative tasks. It is understood by imperative conscientious objection that resulting from religious, political or philosophical beliefs.

2. The constitutional text has been regulated by Decree No. 8.239 of 4 October 1991 which refers to alternative services to compulsory military service, and by Regulation No. 2.681 of 28 July 1992 which adopts the rules applicable to such alternative services.

3. The above-mentioned regulation specifies that the alternative service comprises administrative, welfare, benevolent or productive activities to be carried out in peacetime by those individuals who, after enlistment, allege conscientious objections arising from religious, political or philosophical beliefs to military activities. Women and churchmen are also exempted in peacetime from alternative services, which have a duration of 18 months. Those individuals enrolled in alternative services are entitled to all rights and prerogatives enjoyed by the citizens enlisted in the compulsory military service, including a remuneration equivalent to the soldiers' pay.

Costa Rica

[2 November 1992]
[Original: Spanish]

Costa Rica constitutionally abolished its army under the Political Constitution of 7 November 1949. Consequently, the question of conscientious objection to military service does not arise in Costa Rica.

Croatia

[16 October 1992]
[Original: English]

1. In accordance with the provisions of article 47, paragraph 2, of the Constitution of the Republic of Croatia, an objection of conscience is permitted to those who, on the ground of their religious or moral views, are not prepared to perform military duties in the armed forces. Such persons are obliged under the law to perform other duties.

2. The provisions of articles 81 through 94 of the Defence Act (Narodne novine) Nos. 49/91, 53A/91, 73/91 and 19/92), in conformity with the established West European practice, define in detail the ways of performing civilian service.

3. After being filed in the military register, a recruit who believes that he fulfils the conditions for the civilian service has to submit an application to this effect to the Civilian Service Commission at Ministry of Justice and Administration. The recruit can lodge a complaint against the decision of the said Commission appointed by the Government of the Republic of Croatia.

4. The civilian service is performed as a rule within the Croatian Army in duties not involving carrying and using arms, but can also be performed in organizations with an office or a seat in the Republic of Croatia.

5. The period of the civilian service is 15 months.

Denmark

[19 October 1992]
[Original: English]

1. Article 81 of the Danish Constitution prescribes that every fit man has to contribute in person to the defence of his country. The more detailed rules for this compulsory National Service are given in the Danish National Service Law of 1980.

2. As per article 2 of this law, National Service in Denmark can be:

(a) Military service;

(b) Civil defence service;

(c) Development service abroad for those with appropriate skills; and

(d) Civilian service.

3. The civilian service is administered by the Danish Conscription Administration under the Ministry of the Interior.

4. Danish legislation recognizes conscientious objection (CO) to military service. The first law was in 1917. Since that time many things have been changed, but the original ideas are still the same.

5. CO status is granted to a person who objects to military service based upon his conscience. This can be because of religious or ethical reasons. An application which is solely politically based will be refused.

6. Application of CO status must be sent in writing stating the reasons, i.e. the matter of conscience. This application should be sent within four weeks on receipt of the call-up papers for the armed forces or civil defence service.

7. The reason for this four-week time-limit is so that the military authorities have the possibility to replace the COs with other conscripts.

8. The application can be sent in before the conscript has received his call-up papers for the armed forces or civil defence service and CO status may be granted, but the length of the alternative service cannot be stated until the final half-yearly distribution of the conscripts has taken place and the call-up papers are sent out.

9. As per Law No. 394 of 10 June 1987, an application can now also be submitted during the service. Still, the application should be based upon the conscience of the conscript. He has to state, when his conscience-conflict started and the reasons for it. It should also be explained, in what way the conflict has been confirmed during his service.

10. In due time before being called up every conscript receives a leaflet which, among other things, describes the rules of compulsory National Service. This leaflet has a separate chapter on civilian service, containing information on the right to refuse military service for reasons of conscience, about the procedure for applying for CO status, and the length and types of work in the civilian service. Together with the call-up papers for the armed forces or civil defence service the conscripts receive information about the possibility of transfer to civilian service.

11. In order to prevent improper use of CO status for reasons other than that of conscience, the length of CO service has always been longer than the military service, approximately one-third longer. Up to 1986 the CO time was 11 months. As of 1 July 1986 the law was amended to the effect that now the length of the CO service has to be equal to the length of the service from which the conscript is transferred. In Denmark the lengths of service go from 3 days up to 14 months, so the COs will also have very differentiated lengths of service.

12. The service starts with an introductory stay of a maximum of 10 days, when the conscripts are informed of their duties and their rights and of the social and practical conditions of the service.

13. After this introduction the conscripts spend the rest of their service working in institutions with which the Danish Conscriptions Administration has made an arrangement about supplying COs for various jobs. The COs can during the introductory stay choose the sort of institution he finds most convenient as to interest, geographical position, etc. The institutions are evenly distributed all over the country, which makes it possible for most conscripts to get a job near his home.

14. The COs work in public organizations or institutions in non-military jobs. The specific rules are provided by the Minister of the Interior, and the practical organization rests with the Danish Conscription Administration. Examples of such institutions are those for children, young people, old people, and mentally and physically disabled people; cultural institutions such as museums, theatres, libraries, etc.; peace organizations; and organizations connected with the United Nations, the national church and environmental organizations.

15. It is a condition, however, that the conscript works as an "extra", i.e. he may not be employed in an approved vacant job, and he may not be used in a job demanding a special skill or in an institution which he knows or where he has been previously employed.

16. The COs have more or less the same conditions as the conscripts in the military forces and the civil defence service. The only difference concerns the economic conditions of the service: while the military conscripts and the conscripts in the civil defence service receive a monthly pay, the COs receive daily allowances. However, because of the special tax rules and because of a house-rent grant from the institution where the COs work, the actual economic difference is almost nil.

17. During the last 10 years the following numbers of conscripts have been transferred to civilian service:

Year	No.
1981	660
1982	513
1983	431
1984	378
1985	282
1986	329
1987	460
1988	595
1989	676
1990	614
1991	525

Ecuador

[12 October 1992]
[Original: Spanish]

In connection with Commission on Human Rights resolution 1991/65 entitled "Conscientious objection to military service", the Government of Ecuador would like to know what criteria are applied by other countries in this regard and whether any alternative studies have been conducted by the Commission on Human Rights in connection with the gradual elimination of compulsory military service, with a view to helping various countries to find a way forward in this area.

Equatorial Guinea

[31 August 1992]
[Original: Spanish]

In the Republic of Equatorial Guinea, military service is compulsory for male nationals; the second paragraph of article 16 of the Constitution establishes the compulsory nature of such service. The compulsory nature of military service is of course subject to the drafting of legislation governing military service in Equatorial Guinea. We therefore inform you that the problem of conscientious objection does not arise in Equatorial Guinea.

Finland

[25 November 1992]
[Original: English]

1. As from 1 December 1990, the Ministry of Labour has been in charge of drafting new legislation with respect to non-military/civilian service (Act on the Amendment of Section 3 of the Act on the Number of Ministries in and the General Sphere of Action of the Council of State: 995/90), and the revised law on Unarmed and Civilian Service (1723/91), which took effect on 1 January 1992, stipulates that issues relating to civilian service shall be concentrated in the Ministry of Labour. An Advisory Committee assists the Ministry in amending legislation relating to civilian service and in monitoring its implementation. In addition to the Ministry of Labour, the following instances are represented on the Committee: the defence administration, service places and persons in civilian service/conscientious objectors.

2. A person liable for military service who declares that profound conscientious grounds, based on religious or ethical conviction, prevent him from performing the service prescribed by the Military Service Act (452/50), shall be exempted from undertaking it in peacetime and obliged to perform civilian service as provided in the Civilian Service Act/in the Act governing, civilian service. A person may apply for civilian service at the call-up, any time after that or during the period of his military service, starting as a volunteer conscript, up to the end of the year when he reaches 50 years of age. The Act which exempts Jehovah's Witnesses from military service in certain cases (645/85) is still in force. According to this Act, a person who

is a member of the registered religious congregation called Jehovah's Witnesses may be exempted from performing military service or any substitutive service.

3. The existence of the conviction is ascertained by the assurance of the conscientious objector and no conscience-testing procedure is applied. According to law, civilian service duties shall be so arranged as to occasion no conflict with the conscientious objector's conviction. Non-military service must not be arranged in a manner which would discriminate against a person in civilian service on the ground of his race, origin, language, religion, political or other opinion or similar motive. Unarmed or non-military service is intended to be for the public good and compatible with the conviction of the person liable for service.

4. Civilian service lasts for 395 days, but for those who have applied for civilian service before 1987 the length of service is still 360 days. Under the revised law, the length of non-military service is thus considerably shorter than in the temporary law, which ceased to be effective at the end of 1991, providing for a 16-month period of service. Military service which is substituted by non-military service lasts for either 240, 285 or 330 days. The longer period of service for persons in civilian service/conscientious objectors is motivated by equality, since the two forms of service differ from each other in respect of the total strain. Under the revised law, persons in civilian service/conscientious objectors need not attend any service corresponding to refresher training courses. For a reservist applying for civilian service, a refresher training course is replaced by complementary service, which may not exceed 40 days.

5. Non-military service consists of work for the public good. The service includes a period of training which is meant to give basic information about the work period and to support general civilian education. Training consists of, e.g. issues relating to internationalism, peace and the environment as well as subjects relating to civil skills. Non-military service may not be performed in a foreign country, except for short trips on duty.

6. The core of the civilian service organization consists of four civilian service centres in charge of the placement in work of persons in civilian service and their training. Certain military service issues relating to persons liable for non-military service/conscientious objectors have been transferred from the military authorities to be administered by the centres and the Ministry of Labour. Complementary service, too, normally carried out in the sphere of the protection of the environment, is organized in the centres.

7. (Alternative) work service is performed mainly in the field of social welfare or health service, education or culture or in tasks connected with the protection of the environment or rescue work. In addition to public and local sectors, the service may be performed in certain other institutions including the church and certain non-profit-making civil societies. There are over 500 institutions which organize alternative work service in various parts of Finland. A civilian serviceman's/conscientious objector's service place is selected, in the first place, on the basis of his suitability for it.

8. The maintenance of and the benefits due to persons in civilian service/conscientious objectors are the same as those accorded to others liable for military service. For example, the service place is in charge of his accommodation, meals, health care and daily allowance. A person in civilian service may also receive a draftees dependants' allowance and interest subsidies on government-guaranteed study loans.

9. A person who refuses to perform civilian service/neglects his duty as a person liable for non-military service, a violation of civilian service, shall be sentenced to imprisonment for a period which is equivalent to half of the length of his remaining service time. An imprisonment caused by a violation of civilian service duties is thus now markedly shorter than it was under the previous legislation with unconditional sentences of imprisonment ranging from about 11 to 12 months. According to the revised legislation, a person serving his prison sentence may also, on appeal, be paroled to perform his civilian service.

10. In case a person in complementary service fails to obey call-up orders, a fine is imposed. It appears that the number of those refusing to undertake non-military service as an objection to the prevailing legislation has decreased after the revised Civilian Service Act took effect.

11. The number of persons applying for a civilian service status was relatively stable in the 1980s, amounting to some 400 to 500 persons a year. In addition, an average 800 reservists used to apply for non-military service. In 1991, 1,052 conscripts/military servicemen transferred to civilian service (plus 652 reservists). In 1992, the number will rise, since, on 6 October 1992, the Ministry of Labour statistics had already recorded 1,605 new persons undertaking civilian service (in addition, just over 300 persons in complementary service from the reserve forces).

12. Moreover, Section 36a of the Conscription Act (1728/91) provides the possibility to perform so-called unarmed service. A person liable for military service who is prevented from performing armed military service by profound conscientious grounds based on conviction and who does not apply for civilian service as separately provided must, on application, be released from armed service in peacetime and ordered to undertake unarmed service.

Norway

[7 September 1992]
[Original: English]

1. Section 109 of the Norwegian Constitution of 1814 states the obligation of every citizen to serve in the armed forces of his native country within a fixed period.

2. Compulsory conscription for all men was introduced by an Act of 1876, but the right to conscientious objection was first recognized in 1922 by an amendment to the Military Penal Code. Until 1922 negators, who were mostly Quakers, were punished.

3. In 1922 the Act relating to Civilian Conscript Workers provided for the existence of an alternative civilian service. Further legal amendments relating to the situation of the conscientious objectors (COs) have been made since, and the most recent legislation relevant to the COs is the Act relating to Exemption from Military Service for Reasons of Personal Conviction of 19 March 1965.

4. The first paragraph of section 1 of this Act, in which the requirements for such exemption are laid down, was amended by Act No. 42 of 22 June 1990. The provision now reads (the new wording of the provision is underlined):

> "If there is reason to presume that a conscript is unable to perform military service of any kind without coming into conflict with his serious convictions, inter alia that he is thereby compelled to compromise beliefs that are of fundamental importance to him and that are related to the use of weapons of mass destruction as they could be expected to be used in modern-day defence, he shall be exempted from such service by the competent Ministry or by judgement pronounced pursuant to the provisions of this Act."

5. The purpose of the amendment was to establish clearly that exemption could be granted to an individual for whom military service of any kind in a defence system or conflict which may involve the use of nuclear weapons would be contrary to his serious conviction.

6. The following statistics show the number of persons who applied for the status of conscientious objector, and the number of persons who were actually recognized as such in 1987-1990:

Year	Number of applicants	Number of applications withdrawn	Number recognized
1987	2 360	240	1 629
1988	2 360	210	1 596
1989	2 259	206	1 742
1990	2 548	150	2 034
1991	2 666	356	1 930

7. The length of the alternative service is 16 months, whereas the length of the military service is 12-15 months depending on the branch of armed forces.

8. Applications for CO civilian service can be made at any time, either before or during the military service. Military conscripts who are granted civilian service will have to serve a minimum of four months in addition to the remainder of his military service, no matter how long he had served in the military prior to the civilian service.

9. The alternative service for COs is mainly served in the health and social welfare sectors, humanitarian organizations, research institutions, museums and forestry and other agricultural work.

10. The economic profits of such work go to the State, which has donated this to UNICEF since 1963.

11. The Ministry of Justice has published an information brochure about the right to refuse military service.

Panama

[31 August 1992]
[Original: Spanish]

1. The 1972 Political Constitution of the Republic of Panama, as amended by the Amending Acts of 1978 and by the Constitutional Act of 1983, provides as follows:

> "Article 306. All Panamanians are required to bear arms in order to defend national independence and territorial integrity, except as provided in article 16 of the Constitution. Implementation and the conditions of performance shall be governed by legislation.
>
> Article 16. Naturalized Panamanians are not required to bear arms against their country of origin".

2. The national legal system makes no provision for objection to military service by young Panamanians. However, such service is compulsory only in defence of the country.

3. It should be noted that the Legislative Assembly has now approved draft amendments to the Political Constitution of the Republic of Panama, which are to be voted on in a referendum on 15 November 1992. Among the changes under this legislation, is the replacement of articles 305 and 306 of Title XII, "National defence and public security", by "Police and armed forces".

4. Article 305 of the Constitution provides that "The Republic of Panama shall have no army". The organization of the necessary police services, with separate chains of command and structures and without autonomy as regards administration, finance and procurement is covered by legislation. The Constitution also establishes that the President of the Republic is the "Supreme Commander" of all police services which, as the representatives of authority, "shall be subject to the civil authorities and consequently shall carry out the orders issued by the national, provincial and municipal authorities in the performance of their lawful functions". The current concept of "National defence and public security" is removed from the Constitution.

5. Article 306 provides that the police services are non-belligerent and that their members may not make political statements or declarations, individually or collectively, or become involved in party politics, except to vote. The penalty for failing to observe this rule is instant dismissal.

San Marino

[26 August 1992]

According to the information received from the Government of San Marino, military service does not exist in this country.

Slovenia

[31 August 1992]
[Original: English]

1. The Constitution of the Republic of Slovenia, of 23 December 1992, regulated the right to conscientious objection as one of the basic human rights, provided for in chapter II of the Constitution.

2. Article 46 of the Constitution reads:

"The Right of Conscientious Objection.

The Right of Conscientious Objection shall be permitted in such circumstances as are determined by Law, in so far as the rights and freedoms of others are not affected."

3. The Law will, on the basis of the above-cited article, regulate cases in which individuals will assert the right to conscientious objection not only in the case of military service, which is already provided for in the defence legislation, but also in other cases in which philosophical, religious, moral or other personal determinations do not allow individuals to fulfil legal provisions.

4. Article 123 of the Constitution, which regulates the duty to participate in defence of the State, reads:

"The Duty to Serve in the Defence Forces.

Participation in the defence of the State shall be compulsory for each citizen within such limits and in such manner as may be laid down by Law.

Any citizen who, because of his religious, philosophical or humanitarian beliefs, is not willing to perform military duty, should be given the opportunity of participating in the defence of the State in some other manner."

5. Consequently (according to article 123), every citizen can, on the basis of the Constitution, assert the right to conscientious objection in the case of military service.

Tunisia

[25 November 1992]
[Original: French]

1. Act No. 89-51 of 14 March 1989, concerning national service, and subsequent regulations provide for and deal with all social and humanitarian circumstances which might prevent young citizens from performing national service. The cases dealt with include those of students, family breadwinners, Tunisian nationals resident abroad and persons considered legally incapable.

2. In addition, young Tunisians may perform national service in the form of individual assignments in cases of necessity and according to clearly defined rules.

Yugoslavia

[23 November 1992]
[Original: English]

1. Conscientious objection to military service is treated in the Yugoslav penal legislation as a criminal offence of failure to carry out and obey orders under article 201 of the Penal Code of the Socialist Federal Republic of Yugoslavia punishable with a prison sentence of up to 10 years; of refusal to receive and use arms under article 202 of the same Penal Code punishable with a prison sentence of up to 10 years; and as a criminal offence of draft dodging and avoidance of military service under article 214 of the same Penal Code punishable with a prison sentence of up to 10 years.

2. In the last three years, military courts in the Federal Republic of Yugoslavia have decided 19 cases of the commission of these offences and passed the following sentences: two perpetrators were sentenced to five months in prison, one to six months, one to ten months, one to one year, two to two years, and twelve perpetrators were given suspended sentences.

3. The Law on Military Service (Official Gazette of the Socialist Federal Republic of Yugoslavia, Nos. 64/85, 26/89 and 30/90), article 22, provides that military service shall last 12 months.

4. Article 298 of the draft law on the army of Yugoslavia provides that military service shall last 10 months.

5. A recruit who for religious or other reasons of conscience does not want to do his military service carrying arms or wishes to serve it in civil service, shall do his military service in the army of Yugoslavia and shall not carry arms or in civil service for a duration of 20 months.

6. If while doing his military service a recruit decides to receive arms, the military service shall continue under the programme for soldiers who received arms and the military service shall last 10 months.

II. OTHER INFORMATION RECEIVED

Non-governmental organizations

Friends World Committee for Consultation

[28 October 1992]
[Original: English]

1. Quakers have for more than 300 years refused to participate in war, believing it is wrong to kill or to train people to kill. This is a conviction held by many people of different religious faiths and beliefs. It is on these grounds that Quakers claim the right to conscientious objection to military service, not only for themselves but for all who share their pacifist beliefs.

2. Friends World Committee for Consultation, which represents Quakers from around the world, welcomes resolution 1989/59 of the United Nations Commission on Human Rights which "recognizes the right of everyone to have conscientious objection to military service as a legitimate exercise of the right to freedom of thought, conscience and religion..."

3. In recent years there have been important advances in the recognition by many Member States of the United Nations of the right to conscientious objection and the list of countries having or considering such legislation continues to grow. However, not all States respect the right to conscientious objection to military service and hundreds of people are imprisoned or otherwise punished because of their principled objection to the taking of human life. More alarming are the frequent reports of forced conscription through kidnapping and street round-ups. Some of those forcibly recruited are young children under the age of conscription.

4. Friends World Committee for Consultation welcomes the Secretary-General's report entitled "Conscientious objection to military service" contained in document E/CN.4/1991/64.

5. Friends World Committee for Consultation asks the Commission to:

(a) Recognize that conscientious objection to military service derives from reasons of conscience or profound conviction arising from religious, ethical, moral, humanitarian, philosophical, or similar motives;

(b) Recognize the right of an individual to be released from the armed forces on grounds of conscience or profound conviction;

(c) Request States to disseminate information about the right to conscientious objection to military service, particularly through youth

organizations; the Secretary-General should include the right to conscientious objection to military service in the United Nations public information activities, including the World Conference on Human Rights;

(d) Emphasize that alternative service should promote justice, peace, sustainable development and international understanding. Alternative service must never be punitive or used as a means of punishment;

(e) Request the Secretary-General to update the information provided in the annexes to the report by Messrs. Eide and Mubango-Chipoya entitled "Conscientious objection to military service" (E/CN.4/Sub.2/1983/30/Rev.1.).

UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1993/69
31 December 1992

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Forty-ninth session
Item 17 of the provisional agenda

STATUS OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS

Report of the Secretary-General

1. The General Assembly, by its resolution 2200 A (XXI) of 16 December 1966, adopted and opened for signature, ratification or accession the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights.

2. Both Covenants and the Optional Protocol were opened for signature at New York on 19 December 1966. In accordance with their respective provisions, 1/ the International Covenant on Economic, Social and Cultural Rights entered into force on 3 January 1976, the International Covenant on Civil and Political Rights entered into force on 23 March 1976, and the Optional Protocol to the International Covenant on Civil and Political Rights, having received the required number of ratifications or accessions, entered into force simultaneously with that Covenant on 23 March 1976.

3. The General Assembly, by its resolution 44/128 of 15 December 1989, adopted and opened for signature, ratification and accession the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and called upon all Governments in a position to do so to consider signing and ratifying or acceding to the Second Optional Protocol.

4. The Second Optional Protocol to the International Covenant on Civil and Political Rights entered into force on 11 July 1991, three months after the date of deposit with the Secretary-General of the tenth instrument of ratification or accession. 2/

5. By its resolution 1992/14 of 21 February 1992, the Commission on Human Rights, inter alia, appealed strongly to all States that had not yet become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights to do so, as well as to consider acceding to the Optional Protocols to the International Covenant on Civil and Political Rights; invited the Secretary-General to intensify systematic efforts to encourage States to become parties to the Covenants and, through the programme of advisory services in the field of human rights, to provide such services as might be sought by States that were not parties to the Covenants, with a view to assisting them to ratify them or accede thereto; again invited States parties to the International Covenant on Civil and Political Rights that had not yet done so to consider making the declaration provided for in article 41 of the Covenant; recommended to States parties that they periodically review any reservations made in respect of the provisions of the International Covenants on Human Rights to ascertain whether they should be maintained; stressed to States parties the importance of avoiding the erosion of human rights by derogation, and underlined the necessity for strict observance of the agreed condition and procedure for derogation under article 4 of the International Covenant on Civil and Political Rights and the need for States parties to provide full and timely information also during states of emergency, so that the justification and appropriateness of measures taken in these circumstances could be assessed. The Commission also requested the Secretary-General to submit at its forty-ninth session a report on the status of the International Covenants and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations. 3/

6. As at 10 December 1992, the International Covenant on Economic, Social and Cultural Rights had been ratified or acceded to by 118 States; the International Covenant on Civil and Political Rights by 115 States; the First Optional Protocol to the International Covenant on Civil and Political Rights by 67 States; and the Second Optional Protocol to the International Covenant on Civil and Political Rights by 12 States.

7. Upon ratification of the International Covenant on Civil and Political Rights or subsequently 37 States made the declaration provided for in article 41 of the Covenant, recognizing the competence of the Human Rights Committee established under article 28 of the Covenant to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Covenant. The provisions of article 41 entered into force on 28 March 1979 in accordance with paragraph 2 of that article.

8. The lists of the States parties to the Covenants and the Optional Protocols, the dates of their ratifications, accessions or successions as well as the dates of entry into force of those instruments for each State appear in annexes I and II to the present document.

Notes

1/ Article 27 of the International Covenant on Economic, Social and Cultural Rights, article 49 of the International Covenant on Civil and Political Rights and article 9 of the First Optional Protocol.

2/ Article 8 of the Second Optional Protocol.

3/ For the text of reservations, declarations, notifications and objections relating to the International Covenant on Economic, Social and Cultural Rights, see document E/C.12/1988/1; for the text of reservations, declarations, notifications and objections relating to the International Covenant on Civil and Political Rights and the Optional Protocols thereto, see document CCPR/C/2/Rev.3.

Annex I

STATES PARTIES TO THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
AS AT 10 DECEMBER 1992 (118)

State party	Date of receipt of the instrument of ratification accession a/ or succession b/	Date of entry into force
Afghanistan	24 January 1983 a/	24 April 1983
Albania	4 October 1991 a/	4 January 1992
Algeria	12 September 1989	12 December 1989
Angola	10 January 1992 a/	10 April 1992
Argentina	8 August 1986	8 November 1986
Australia	10 December 1975	10 March 1976
Austria	10 September 1978	10 December 1978
Azerbaijan	13 August 1992 a/	13 November 1992
Barbados	5 January 1973 a/	3 January 1976
Belarus	12 November 1973	3 January 1976
Belgium	21 April 1983	21 July 1983
Benin	12 March 1992 a/	12 June 1992
Bolivia	12 August 1982 a/	12 November 1982
Brazil	24 January 1992 a/	24 April 1992
Bulgaria	21 September 1970	3 January 1976
Burundi	9 May 1990 a/	9 August 1990
Cambodia	26 May 1992 a/	26 August 1992
Cameroon	27 June 1984 a/	27 September 1984
Canada	19 May 1976 a/	19 August 1976
Central African Republic	8 May 1981 a/	8 August 1981

State party	Date of receipt of the instrument of ratification accession a/ or succession b/	Date of entry into force
Chile	10 February 1972	3 January 1976
China */		
Colombia	29 October 1969	3 January 1976
Congo	5 October 1983 a/	5 January 1984
Costa Rica	29 November 1968	3 January 1976
Côte d'Ivoire	26 March 1992 a/	26 June 1992
Croatia	8 October 1991 b/	8 October 1991
Cyprus	2 April 1969	3 January 1976
Czech and Slovak Federal Republic	23 December 1975	23 March 1976
Democratic People's Republic of Korea	14 September 1981 a/	14 December 1981
Denmark	6 January 1972	3 January 1976
Dominican Republic	4 January 1978 a/	4 April 1978
Ecuador	6 March 1969	3 January 1976
Egypt	14 January 1982	14 April 1982
El Salvador	30 November 1979	29 February 1980

---

*/ Following the adoption by the General Assembly of resolution 2758 (XXVI) of 25 October 1971 on the restoration of the lawful rights of the People's Republic of China in the United Nations, the Minister for Foreign Affairs of the People's Republic of China, by a note addressed to the Secretary-General, received on 29 September 1972, stated:

> "1. With regard to the multilateral treaties signed, ratified or acceded to by the defunct Chinese Government before the establishment of the People's Republic of China, my Government will examine all their contents before making a decision in the light of the circumstances as to whether or not they should be recognized.
>
> "2. As from 1 October 1949, the day of the founding of the People's Republic of China, the Chiang Kai-Shek clique has no right at all to represent China. Its signature and ratification of, or accession to, any multilateral treaties by usurping the name of 'China' are all illegal and null and void. My Government will study these multilateral treaties before making a decision in the light of the circumstances as to whether or not they should be acceded to."

The lists in annexes I and II therefore do not include the signature of the two International Covenants and the Optional Protocol on behalf of the "Republic of China" on 5 October 1967.

State party	Date of receipt of the instrument of ratification accession a/ or succession b/	Date of entry into force
Equatorial Guinea	25 September 1987 a/	25 December 1987
Estonia	21 October 1991 a/	21 January 1992
Finland	19 August 1975	3 January 1976
France	4 November 1980 a/	4 February 1981
Gabon	21 January 1983 a/	21 April 1983
Gambia	29 December 1978 a/	29 March 1979
Germany	17 December 1973	3 January 1976
Greece	16 May 1985 a/	16 August 1985
Grenada	6 September 1991 a/	6 December 1991
Guatemala	19 May 1988 a/	19 August 1988
Guinea	24 January 1978	24 April 1978
Guinea-Bissau	2 July 1992 a/	2 October 1992
Guyana	15 February 1977	15 May 1977
Honduras	17 February 1981 a/	17 May 1981
Hungary	17 January 1974	3 January 1976
Iceland	22 August 1979	22 November 1979
India	10 April 1979 a/	10 July 1979
Iran (Islamic Republic of)	24 June 1975	3 January 1976
Iraq	25 January 1971	3 January 1976
Ireland	8 December 1989	8 March 1990
Israel	3 October 1991	3 January 1992
Italy	15 September 1978	15 December 1978
Jamaica	3 October 1975	3 January 1976
Japan	21 June 1979	21 September 1979
Jordan	28 May 1975	3 January 1976
Kenya	1 May 1972 a/	3 January 1976
Latvia	14 April 1992 a/	14 July 1992
Lebanon	3 November 1972 a/	3 January 1976
Lesotho	9 September 1992 a/	9 December 1992
Libyan Arab Jamahiriya	15 May 1970 a/	3 January 1976
Lithuania	20 November 1991 a/	20 February 1992
Luxembourg	18 August 1983	18 November 1983
Madagascar	22 September 1971 a/	3 January 1976
Mali	16 July 1974 a/	3 January 1976
Malta	13 September 1990	13 December 1990
Mauritius	12 December 1973 a/	3 January 1976
Mexico	23 March 1981 a/	23 June 1981
Mongolia	18 November 1974	3 January 1976
Morocco	3 May 1979	3 August 1979
Nepal	14 May 1991 a/	14 August 1991

State party	Date of receipt of the instrument of ratification accession a/ or succession b/	Date of entry into force
Netherlands	11 December 1978	11 March 1979
New Zealand	28 December 1978	28 March 1979
Nicaragua	12 March 1980 a/	12 June 1980
Niger	7 March 1986 a/	7 June 1986
Norway	13 September 1972	3 January 1976
Panama	8 March 1977	8 June 1977
Paraguay	10 June 1992 a/	10 September 1992
Peru	28 April 1978	28 July 1978
Philippines	7 June 1974	3 January 1976
Poland	18 March 1977	18 June 1977
Portugal	31 July 1978	31 October 1978
Republic of Korea	10 April 1990 a/	10 July 1990
Romania	9 December 1974	3 January 1976
Russian Federation	16 October 1973	3 January 1976
Rwanda	16 April 1975 a/	3 January 1976
Saint Vincent and the Grenadines	9 November 1981 a/	9 February 1982
San Marino	18 October 1985 a/	18 January 1986
Senegal	13 February 1978	13 May 1978
Seychelles	5 May 1992 a/	5 August 1992
Slovenia	6 July 1992 a/	6 July 1992
Solomon Islands	17 March 1982 b/	17 March 1982
Somalia	24 January 1990 a/	24 April 1990
Spain	27 April 1977	27 July 1977
Sri Lanka	11 June 1980 a/	11 September 1980
Sudan	18 March 1986 a/	18 June 1986
Suriname	28 December 1976 a/	28 March 1977
Sweden	6 December 1971	3 January 1976
Switzerland	18 June 1992 a/	18 September 1992
Syrian Arab Republic	21 April 1969 a/	3 January 1976
Togo	24 May 1984 a/	24 August 1984
Trinidad and Tobago	8 December 1978 a/	8 March 1979
Tunisia	18 March 1969	3 January 1976
Uganda	21 January 1987 a/	21 April 1987
Ukraine	12 November 1973	3 January 1976
United Kingdom of Great Britain and Northern Ireland	20 May 1976	20 August 1976

State party	Date of receipt of the instrument of ratification accession a/ or succession b/	Date of entry into force
United Republic of Tanzania	11 June 1976 a/	11 September 1976
Uruguay	1 April 1970	3 January 1976
Venezuela	10 May 1978	10 August 1978
Viet Nam	24 September 1982 a/	24 December 1982
Yemen	9 February 1987 a/	9 May 1987
Yugoslavia (Serbia and Montenegro)	2 June 1971	3 January 1976
Zaire	1 November 1976 a/	1 February 1977
Zambia	10 April 1984 a/	10 July 1984
Zimbabwe	13 May 1991 a/	13 August 1991

Annex II

STATES PARTIES TO THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS AND TO THE OPTIONAL PROTOCOLS AND STATES WHICH HAVE MADE THE DECLARATION UNDER ARTICLE 41 OF THE COVENANT AS AT 10 DECEMBER 1992

A. States parties to the International Covenant on Civil and Political Rights (115)

State party	Date of receipt of the instrument of ratification accession a/ or succession b/	Date of entry into force
Afghanistan	24 January 1983 a/	24 April 1983
Albania	4 October 1991 a/	4 January 1992
Algeria	12 September 1989	12 December 1989
Angola	10 January 1992 a/	10 April 1992
Argentina	8 August 1986	8 November 1986
Australia	13 August 1980	13 November 1980
Austria	10 September 1978	10 December 1978
Azerbaijan	13 August 1992 a/	13 November 1992
Barbados	5 January 1973 a/	23 March 1976
Belarus	12 November 1973	23 March 1976
Belgium	21 April 1983	21 July 1983
Benin	12 March 1992 a/	12 June 1992
Bolivia	12 August 1982 a/	12 November 1982
Brazil	24 January 1992 a/	24 April 1992
Bulgaria	21 September 1970	23 March 1976
Burundi	9 May 1990 a/	9 August 1990
Cambodia	26 May 1992 a/	26 August 1992
Cameroon	27 June 1984 a/	27 September 1984
Canada	19 May 1976 a/	19 August 1976
Central African Republic	8 May 1981 a/	8 August 1981
Chile	10 February 1972	23 March 1976
Colombia	29 October 1969	23 March 1976
Congo	5 October 1983 a/	5 January 1984
Costa Rica	29 November 1968	23 March 1976
Côte d'Ivoire	26 March 1992 a/	26 June 1992

State party	Date of receipt of the instrument of ratification accession a/ or succession b/	Date of entry into force
Croatia	8 October 1991 b/	8 October 1991
Cyprus	2 April 1969	23 March 1976
Czech and Slovak Federal Republic	23 December 1975	23 March 1976
Democratic People's Republic of Korea	14 September 1981 a/	14 December 1981
Denmark	6 January 1972	23 March 1976
Dominican Republic	4 January 1978 a/	4 April 1978
Ecuador	6 March 1969	23 March 1976
Egypt	14 January 1982	14 April 1982
El Salvador	30 November 1979	29 February 1980
Equatorial Guinea	25 September 1987 a/	25 December 1987
Estonia	21 October 1991 a/	21 January 1992
Finland	19 August 1975	23 March 1976
France	4 November 1980 a/	4 February 1981
Gabon	21 January 1983 a/	21 April 1983
Gambia	22 March 1979 a/	22 June 1979
Germany	17 December 1973	23 March 1976
Grenada	6 September 1991 a/	6 December 1991
Guatemala	6 May 1992 a/	5 August 1992
Guinea	24 January 1978	24 April 1978
Guyana	15 February 1977	15 May 1977
Haiti	6 February 1991 a/	6 May 1991
Hungary	17 January 1974	23 March 1976
Iceland	22 August 1979	22 November 1979
India	10 April 1979 a/	10 July 1979
Iran (Islamic Republic of)	24 June 1975	23 March 1976
Iraq	25 January 1971	23 March 1976
Ireland	8 December 1989	8 March 1990
Israel	3 October 1991 a/	3 January 1992
Italy	15 September 1978	15 December 1978
Jamaica	3 October 1975	23 March 1976
Japan	21 June 1979	21 September 1979
Jordan	28 May 1975	23 March 1976
Kenya	1 May 1972 a/	23 March 1976
Latvia	14 April 1992 a/	14 July 1992
Lebanon	3 November 1972 a/	23 March 1976

State party	Date of receipt of the instrument of ratification accession a/ or succession b/	Date of entry into force
Lesotho	9 September 1992 a/	9 December 1992
Libyan Arab Jamahiriya	15 May 1970 a/	23 March 1976
Lithuania	20 November 1991 a/	20 February 1992
Luxembourg	18 August 1983	18 November 1983
Madagascar	21 June 1971	23 March 1976
Mali	16 July 1974 a/	23 March 1976
Malta	13 September 1990 a/	13 December 1990
Mauritius	12 December 1973 a/	23 March 1976
Mexico	23 March 1981 a/	23 June 1981
Mongolia	18 November 1974	23 March 1976
Morocco	3 May 1979	3 August 1979
Nepal	14 May 1991	14 August 1991
Netherlands	11 December 1978	11 March 1979
New Zealand	28 December 1978	28 March 1979
Nicaragua	12 March 1980 a/	12 June 1980
Niger	7 March 1986 a/	7 June 1986
Norway	13 September 1972	23 March 1976
Panama	8 March 1977	8 June 1977
Paraguay	10 June 1992 a/	10 September 1992
Peru	28 April 1978	28 July 1978
Philippines	23 October 1986	23 January 1987
Poland	18 March 1977	18 June 1977
Portugal	15 June 1978	15 September 1978
Republic of Korea	10 April 1990 a/	10 July 1990
Romania	9 December 1974	23 March 1976
Russian Federation	16 October 1973	23 March 1976
Rwanda	16 April 1975 a/	23 March 1976
Saint Vincent and the Grenadines	9 November 1981 a/	9 February 1982
San Marino	18 October 1985 a/	18 January 1986
Senegal	13 February 1978	13 May 1978
Seychelles	5 May 1992 a/	5 August 1992
Slovenia	6 July 1992 b/	6 July 1992
Somalia	24 January 1990 a/	24 April 1990
Spain	27 April 1977	27 July 1977
Sri Lanka	11 June 1980 a/	11 September 1980

State party	Date of receipt of the instrument of ratification accession a/ or succession b/	Date of entry into force
Sudan	18 March 1986 a/	18 June 1986
Suriname	28 December 1976 a/	28 March 1977
Sweden	6 December 1971	23 March 1976
Switzerland	18 June 1992 a/	18 September 1992
Syrian Arab Republic	21 April 1969 a/	23 March 1976
Togo	24 May 1984 a/	24 August 1984
Trinidad and Tobago	21 December 1978 a/	21 March 1979
Tunisia	18 March 1969	23 March 1976
Ukraine	12 November 1973	23 March 1976
United Kingdom of Great Britain and Northern Ireland	20 May 1976	20 August 1976
United Republic of Tanzania	11 June 1976 a/	11 September 1976
United States of America	8 June 1992	8 September 1992
Uruguay	1 April 1970	23 March 1976
Venezuela	10 May 1978	10 August 1978
Viet Nam	24 September 1982 a/	24 December 1982
Yemen	9 February 1987 a/	9 May 1987
Yugoslavia	2 June 1971	23 March 1976
Zaire	1 November 1976 a/	1 February 1977
Zambia	10 April 1984 (a)	10 July 1984
Zimbabwe	13 May 1991 (a)	13 August 1991

B. States which have made the declaration under article 41 of the Covenant (37)

State party	Valid from	Valid until
Algeria	12 September 1989	Indefinitely
Argentina	8 August 1986	Indefinitely
Austria	10 September 1978	Indefinitely
Belarus	30 September 1992	Indefinitely
Belgium	5 March 1987	Indefinitely
Canada	29 October 1979	Indefinitely
Chile	11 March 1990	Indefinitely
Congo	7 July 1989	Indefinitely
Czech and Slovak Federal Republic	20 March 1991	Indefinitely
Denmark	23 March 1976	Indefinitely

State party	Valid from	Valid until
Ecuador	24 August 1984	Indefinitely
Finland	19 August 1975	Indefinitely
Gambia	9 June 1988	Indefinitely
Germany	28 March 1979	27 March 1996
Hungary	7 September 1988	Indefinitely
Iceland	22 August 1979	Indefinitely
Ireland	8 December 1989	Indefinitely
Italy	15 September 1978	Indefinitely
Luxembourg	18 August 1983	Indefinitely
Malta	13 September 1990	Indefinitely
Netherlands	11 December 1978	Indefinitely
New Zealand	28 December 1978	Indefinitely
Norway	23 March 1976	Indefinitely
Peru	9 April 1984	Indefinitely
Philippines	23 October 1986	Indefinitely
Poland	25 September 1990	Indefinitely
Republic of Korea	10 April 1990	Indefinitely
Russian Federation	1 October 1991	Indefinitely
Senegal	5 January 1981	Indefinitely
Slovenia	25 June 1991	Indefinitely
Spain	25 January 1985	25 January 1993
Sri Lanka	11 June 1980	Indefinitely
Sweden	23 March 1976	Indefinitely
Switzerland	18 September 1992	18 September 1997
United Kingdom of Great Britain and Northern Ireland	20 May 1976	Indefinitely
United States of America	8 September 1992	Indefinitely
Zimbabwe	20 August 1991	Indefinitely

C. States parties to the Optional Protocol (67)

State party	Date of receipt of the instrument of ratification or accession a/	Date of entry into force
Algeria	12 September 1989 a/	12 December 1990
Angola	10 January 1992 a/	10 April 1992
Argentina	8 August 1986 a/	8 November 1986
Australia	25 September 1991 a/	25 December 1991
Austria	10 December 1987	10 March 1988
Barbados	5 January 1973 a/	23 March 1976
Belarus	30 September 1992 a/	30 December 1992
Benin	12 March 1992 a/	12 June 1992
Bolivia	12 August 1982 a/	12 November 1982
Bulgaria	26 March 1992 a/	26 June 1992
Cameroon	27 June 1984 a/	27 September 1984
Canada	19 May 1976 a/	19 August 1976
Central African Republic	8 May 1981 a/	8 August 1981
Chile	28 May 1992 a/	28 August 1992
Colombia	29 October 1969	23 March 1976
Congo	5 October 1983 a/	5 January 1984
Costa Rica	29 November 1968	23 March 1976
Cyprus	15 April 1992	15 July 1992
Czech and Slovak Federal Republic	12 March 1991 a/	12 June 1991
Denmark	6 January 1972	23 March 1976
Dominican Republic	4 January 1978 a/	4 April 1978
Ecuador	6 March 1969	23 March 1976
Equatorial Guinea	25 September 1987 a/	25 December 1987
Estonia	21 October 1991 a/	21 January 1992
Finland	19 August 1975	23 March 1976
France	17 February 1984 a/	17 May 1984
Gambia	9 June 1988 a/	9 September 1988
Hungary	7 September 1988 a/	7 December 1988
Iceland	22 August 1979 a/	22 November 1979
Ireland	8 December 1989	8 March 1990

State party	Date of receipt of the instrument of ratification or accession a/	Date of entry into force
Italy	15 September 1978	15 December 1978
Jamaica	3 October 1975	23 March 1976
Libyan Arab Jamahiriya	16 May 1989 a/	16 August 1989
Lithuania	20 November 1991 a/	20 February 1992
Luxembourg	18 August 1983 a/	18 November 1983
Madagascar	21 June 1971	23 March 1976
Malta	13 September 1990 a/	13 December 1990
Mauritius	12 December 1973 a/	23 March 1976
Mongolia	16 April 1991 a/	16 July 1991
Nepal	14 May 1991 a/	14 August 1991
Netherlands	11 December 1978	11 March 1979
New Zealand	26 May 1989 a/	26 August 1989
Nicaragua	12 March 1980 a/	12 June 1980
Niger	7 March 1986 a/	7 June 1986
Norway	13 September 1972	23 March 1976
Panama	8 March 1977	8 June 1977
Peru	3 October 1980	3 January 1981
Philippines	22 August 1989 a/	22 November 1989
Poland	7 November 1991 a/	7 February 1992
Portugal	3 May 1983	3 August 1983
Republic of Korea	10 April 1990 a/	10 July 1990
Russian Federation	1 October 1991 a/	1 January 1992
Saint Vincent and the Grenadines	9 November 1981 a/	9 February 1982
San Marino	18 October 1985 a/	18 January 1986
Senegal	13 February 1978	13 May 1978
Seychelles	5 May 1992 a/	5 August 1992
Somalia	24 January 1990 a/	24 April 1990
Spain	25 January 1985 a/	25 April 1985
Suriname	28 December 1976 a/	28 March 1977
Sweden	6 December 1971	23 March 1976

State party	Date of receipt of the instrument of ratification or accession a/	Date of entry into force
Togo	30 March 1988 a/	30 June 1988
Trinidad and Tobago	14 November 1980 a/	14 February 1981
Ukraine	25 July 1991 a/	25 October 1991
Uruguay	1 April 1970	23 March 1976
Venezuela	10 May 1978	10 August 1978
Zaire	1 November 1976 a/	1 February 1977
Zambia	10 April 1984 a/	10 July 1984

D. Status of the Second Optional Protocol aiming at the abolition of the death penalty (12)

State party	Date of receipt of the instrument of ratification or accession a/	Date of entry into force
Australia	2 October 1990 a/	11 July 1991
Finland	4 April 1991	11 July 1991
Germany	18 August 1992	18 November 1992
Iceland	2 April 1991	11 July 1991
Luxembourg	12 February 1992	12 May 1992
Netherlands	27 February 1991	11 July 1991
New Zealand	22 February 1990	11 July 1991
Norway	5 September 1991	5 December 1991
Portugal	17 October 1990	11 July 1991
Romania	27 February 1991	11 July 1991
Spain	11 April 1991	11 July 1991
Sweden	11 May 1990	11 July 1991